

ACT against Solicitation.

Edinburgh, November 6. 1677.



HE Lords of Council and Session taking to their serious Consideration, that by several Acts of Sederunt, the Lords have formerly Prohibited all Solicitations, in Causes depending before them, whereby Parties did endeavour and expect favour, by the Credit and Moyen of themselves, or their Freinds interposing with the Lords, and personal respects not relating to the Cause, to the great discouragement of others, who had not the like Friendship, or Moyen, and to the great trouble of all, conceiving it their Interest, and that it might be looked on as a slight, or neglect, if they did not upon all occasions, by themselves or their Friends Sollicite the whole Lords at their Houses, lying scattered thorow the several places of the City, imagining thereby to have much promoted their Interest, and payed respect to the Lords, who have no regard to, but are troubled with such Solicitations, it being their duty and design to do Justice to all impartially, without respect of persons: Notwithstanding of which Acts and Endeavours of the Lords against Solicitations, the same have been revived upon pretence of giving Information in the Cause: But now seeing written Informations are become ordinary, and that all that ought to be represented to the Lords, in any case, may easily, and without trouble be done by written Informations, sent to the Lords by a Servant, which they will heartily accept, and will not fail to peruse: And finding it unfeasable to hinder Solicitations, so long as they admit of Verbal Information: Therefore the Lords do Declare, That they will admit of no Solicitation, or verbal Information, in any Cause depending, or that shall depend before them, during the Dependence thereof, either by the Parties themselves, or by any other person; And to the end the same may be effectual against all importunity, The saids Lords Do Enact, and Declare, that it shall be a relevant Reason of Declinator, against any of the saids Lords, ordinary or extraordinary, that they have received, or heard any Solicitation, or Verbal Information in the Cause during the dependence thereof, but upon the first observing, that the matter offered to be spoken to them, did bear, or import any Solicitation, or Verbal Information, in a Cause depending, if they did not use all the means they could to stop or withdraw to hear any further thereof; or in case any Solicitation, or Information in a Cause depending, be offered by a Missive Letter, if they do not present the same to the Lords: Likeas the saids Lords Do strictly prohibite all Advocats, Clerks, Writers and others, depending on the Colledge of Justice, or their Servants to offer to any of the Lords any Solicitation or Information by VVord or Letter, but only by written Informations, Bills, or Tickets for Calling, under the pain of Deprivation, and being secluded from the House, excepting the Clerk of the Process, for clearing any Interlocutor or Minute in the Cause: Likeas the saids Lords Do Declare, That if any party, or others of the Leidges, offer any Solicitation or Information, by Word or Missive, that they will amercciat them as follows, *viz.* Every Nobleman in 300 Merks Scots Money; Every Baron or Knight in 200 merks; every other Heretor, Gentleman, or chief Burghers in 100 pounds; and every other person in 100 merks, *toties quoties*, to be applyed for the use of the poor. It is always hereby Declared, that the verbal Information of any Party, or other person for him, when required, or allowed Judicially, or before Auditors, in Dyets appointed for both Parties to be heard, or before the Ordinaries upon the Bills, in relation to the passing of Bills of Suspension, or Advocation, or before any of the Lords, to whom either by consent of Parties, or by appointment, or recommendation of the Lords, an accommodation in any Process is referred, is no ways hereby prohibited. And to the effect the Leidges may be secured against any prejudice, which they may apprehend by debarring them from Solicitation, or verbal Information; The Lords do Declare, that there shall be free access for all persons to Inform them by written Informations only, to be delivered by Servants, and that in all cases from time to time; And for the more sure delivery of Informations, they ordain that every one of the Lords shall have a Servant attending in his House, from five a Clock, to eight a Clock at night, who shall be holden to receive any Informations, doubles of Bills, or Tickets for Calling, that shall be given in without payment of any Money, under such pain or punishment as the Lords shall think fit; And which Informations, Bills and Tickets, shall be delivered by the Servants of Advocats, or of the Parties, and by none others, and they Ordain this Act to be affixed on the VVall of the Outer-House. And to be Printed, that none may pretend Ignorance thereof.

Edinburgh, December 24. 1679.

THE Lords of Council and Session Considering, that notwithstanding of the Act made against Solicitation and verbal Information, dated the sixth of November, 1677. years, yet some persons are so bold as to adventure to Sollicite the Lords in their Actions, and it being the Resolution of the saids Lords, that so Laudable and necessary an Act be made effectual; Therefore they Declare, that in any Process now depending, or which shall hereafter be intented before them, when the same comes to be Advised, they will purge themselves concerning their receiving any Solicitation, or verbal Information in the Cause, if it shall either be desired by the Parties, or moved by any of their own number, and that they will delate the persons who do Sollicite, or verbally Inform them, that they may be punished therefore, conform to the said Act.

Edinburgh, November 11. 1690.

The Lords of Council and Session do Ordain their Acts of Sederunt, of the sixth of November 1677, and the 24 of December 1679. against Solicitation to be Printed, and affixed on the Wall of the Outer-House; and they Ordain these Acts to be observed in all points.

GOD save King WILLIAM and Queen MARY.